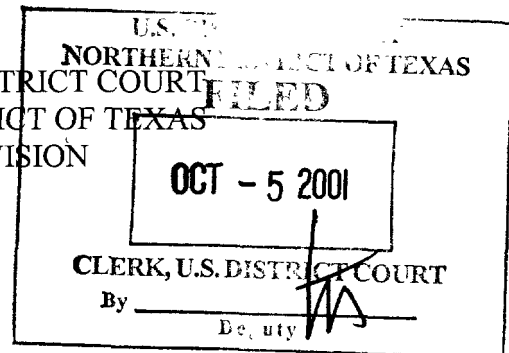


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION



MARTIN LUCIO SANTILLAN,
TDCJ No. 820911,
Petitioner,

v.

JANIE COCKRELL, Director,
Texas Department of Criminal Justice,
Institutional Division,
Respondent.

7:01-CV-194-R



ORDER TRANSFERRING CASE

Petitioner, an inmate confined in the Allred Unit of the Texas Department of Criminal Justice in Iowa Park, Texas, brings this petition for habeas corpus relief pursuant to 28 U.S.C. § 2254. Petitioner is currently serving a life sentence imposed pursuant to his Dallas County conviction for capital murder. *Petition ¶¶ 1-6.*

The Federal statute governing venue for habeas corpus petitions provides in pertinent part:

Where an application for a writ of habeas corpus is made by a person in custody under the judgment and sentence of a State court of a State which contains two or more Federal judicial districts, the application may be filed in the district court for the district wherein such person is in custody or in the district court for the district within which the State court was held which convicted and sentenced him and each of such district courts shall have concurrent jurisdiction to entertain the application. The district court for the district wherein such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination.

28 U.S.C. § 2241(d); *accord Story v. Collins*, 920 F.2d 1247, 1250-51 (5th Cir. 1991).


Petitioner is currently incarcerated within the geographical boundaries of the Wichita Falls Division of the Northern District of Texas. However, he was convicted and sentenced in Dallas County, Texas which lies within the Dallas Division of the Northern District of Texas. For the

convenience of parties and witnesses, to afford convenient access to records, and in the interest of justice, this case should be transferred.

IT IS THEREFORE ORDERED that the petition be, and it is hereby, transferred to the Dallas Division of the Northern District of Texas.

A copy of this order shall be transmitted to Petitioner.

SO ORDERED this 5 day of October, 2001.



JERRY BUCHMEYER, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS